

**Tennessee Technological University  
Policy No. 419**



**Clery Act  
Compliance**

Effective Date: January 1, 2020

**Policy No:** 419

**Policy Name:** Clery Act Compliance

## **I. Purpose**

The purpose of this policy is to ensure compliance with the The Jeanne Clery Disclosure of Campus Crime Security Policy and Campus Crime Statistics Act of 1990 (“Clery Act”).

## **II. Review**

This policy will be reviewed every two (2) years or whenever circumstances require review, whichever is earlier, by the Clery Coordinator, in consultation with the Vice President for Planning and Finance and Vice President of Student Affairs, with recommendations for revision presented to the Administrative Council and University Assembly.

## **III. Definition(s)**

**A. Tennessee Tech Campus Security Authorities (CSAs):** individuals at Tennessee Tech who have significant responsibility for student and campus activities or for campus security.

**B. Tennessee Tech Clery Geography includes:**

- 1. On-campus Buildings or Property:** Any building or property owned or controlled by Tennessee Tech within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, Tennessee Tech’s educational purposes; and, any building or property that is within or reasonably contiguous to the properties or buildings owned by Tennessee Tech but controlled by another person, is frequently used by students, and supports the University’s purposes (such as a food or other retail vendor).
- 2. Non-Campus Buildings or Property:** Any building or property owned or controlled by a student organization that is officially recognized by Tennessee Tech; or any building or property owned or controlled by Tennessee Tech that is used in direct support of, or in relation to, Tennessee Tech’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the University.
- 3. Public Property:** Public property which includes thoroughfares, streets, sidewalks, and parking facilities within property owned or controlled by Tennessee Tech or immediately adjacent to and accessible from property owned or controlled by the University.

**C. Clery Act Crimes include:**

1. Criminal Offenses – Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson;
2. Hate Crimes – Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias; and
3. Sex Offenses: Sexual Assault, Domestic Violence, Dating Violence, Stalking, Rape, Statutory Rape, Incest, and Fondling.

#### **IV. Policy/Procedure**

A. In compliance with the Clery Act, Tennessee Tech will:

1. Collect reports and compile statistics of Clery Act crimes reported to Campus Security Authorities, Tennessee Tech Police, and other local law enforcement agencies;
2. By October 1<sup>st</sup> of each year, publish and distribute to all students and employees an Annual Security and Fire Safety Report;
3. Annually report Tennessee Tech’s Clery Act crime statistics and fire incident statistics to the U.S. Department of Education;
4. Annually designate and provide mandatory training to Tennessee Tech’s CSAs on a regular and ongoing basis;
5. Maintain a daily crime log that includes all criminal incidents and alleged criminal incidents reported to Tennessee Tech Police. This log will be available for public inspection, upon request;
6. Maintain a fire log that records all reported fires occurring in Tennessee Tech residential housing facilities. This log will be available for public inspection, upon request;
7. Issue timely warnings of Clery Act crimes that occur in Tennessee Tech’s Clery geography and that pose a serious or continuing threat to students and employees. See Tennessee Tech Policy 421 (Timely Warnings);
8. Issue emergency notifications for any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees. See Tennessee Tech Policy 420 (Emergency Notifications);
9. Establish procedures for reporting missing Tennessee Tech students who reside in on-campus student housing. See Tennessee Tech Policy 418 (Reporting Students as Missing Persons); and

**B.** The responsibilities of Tennessee Tech’s Clery Coordinator include:

1. Serving as the designated “campus safety survey administrator,” as defined by the U.S. Department of Education;
2. Developing and coordinating Tennessee Tech’s Clery Compliance program and related activities, including policy development and implementation;
3. Preparing, publishing, and distributing the Annual Security and Fire Safety Report, and submitting statistics to the Department of Education;
4. Maintaining the official list of CSAs, and providing annual training to the CSAs;
5. Gathering and consolidating crime and disciplinary referral data from various internal and external sources;
6. Maintaining an accurate list of buildings and properties within Tennessee Tech’s Clery geography;
7. Serving as the record custodian for Clery Act associated reports and correspondence;
8. Staying abreast of amendments to the Clery Act and other laws or regulations affecting the Clery Act.

**V. Interpretation**

The President or his/her designee has the final authority to interpret the terms of this policy

**VI. Citation of Authority**

T.C.A. § 49-8-203(a)(1)(E)

**Approved by:**

Administrative Council: October 2, 2019

University Assembly: November 20, 2019